



DAC- *[Signature]*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT APPLICATION OF: Soubie

Our File: 109-1 US

Serial No: 10/717,914

Group: 1654

Filed: November 21, 2003

Examiner: LEITH, Patricia A.

Title: COMPOSITION FOR THE TREATMENT OF BURNS, SUNBURNS,
ABRASIONS, ULCERS AND CUTANEOUS IRRITATION

August 10, 2005

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Please find attached a Petition to Revive under 37 CFR 1.137(a). In addition, the applicant encloses a copy of the response that was timely filed in the USPTO on November 18, 2004. Applicant further substantiates this claim by attaching a copy of the USPTO mailroom stamped receipt indicating that the response was received in the USPTO mailroom on November 18, 2004.

In a recent telephone discussion with the Examiner, it was established that the required fee for filing a Petition to Revive would be waived in the event that we can provide evidence that the response was filed in a timely manner.

It is the applicant's belief that the attached documentation provides sufficient evidence that a response was filed in a timely manner, and it is respectfully requested that the petition fee be waived in this case.

We look forward to your favourable response and revival of this application.

Respectfully submitted,



Neil Teitelbaum

Encl.
/ewg

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

The above-identified application became abandoned for failure to timely file a proper reply to the Office letter mailed on October 20, 2004.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION NOTE:

A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee

X Small entity-fee \$ _____ (37 CFR 1.17(i)). Applicant claims small entity status. See 37 CFR 1.27.

 Other than small entity – fee \$110.00 – (37 CFR 1.17(i))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of _____ a written response _____ (identify type of reply):

X has been filed previously on November 18, 2004.

X is also enclosed herewith.

The issue fee of \$ _____

 has been paid previously on _____.

 is enclosed herewith (authorization for deposit account use)

2. Terminal disclaimer with disclaimer fee

 Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

 A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the response filed in a timely manner, is enclosed.

August 10, 2005

Date:

Telephone Number:

(613) 523 3784(Ext 100)

Address:



Signature:

Neil Teitelbaum

Typed or printed name

1187 Bank Street, Ste 201, Ottawa, Ontario, Canada K1S 3X7

Enclosures: ☐ Fee Payment
 ☐ Reply
 ☐ Terminal Disclaimer Form
 ☒ Additional sheets containing statements establishing unavoidable delay
 ☐ Other: _____

Respectfully submitted,



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